

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TEAM WORLDWIDE CORPORATION,

*Plaintiff,*

V.

ACADEMY, LTD D/B/A ACADEMY  
SPORTS + OUTDOORS,

ACE HARDWARE CORPORATION,

AMAZON.COM, INC., AMAZON.COM  
LLC,

BED BATH & BEYOND INC.,

COSTCO WHOLESALE CORPORATION,

DICK'S SPORTING GOODS, INC.,

HOME DEPOT PRODUCT AUTHORITY,  
LLC, HOME DEPOT U.S.A., INC.,

MACY'S RETAIL HOLDINGS, INC.,  
MACY'S.COM, LLC,

TARGET CORPORATION,

SEARS ROEBUCK AND CO., SEARS  
HOLDINGS CORPORATION, TRANSFORM  
SR LLC, AND TRANSFORM KM LLC,

*Defendants.*

CIV.A. NO. 2:19-CV-00092-JRG-RSP  
(LEAD CASE)

CIV.A. NO. 2:19-CV-00093-JRG-RSP

CIV.A. NO. 2:19-CV-00094-JRG-RSP

CIV.A. NO. 2:19-CV-00095-JRG-RSP

CIV.A. NO. 2:19-CV-00096-JRG-RSP

CIV.A. NO. 2:19-CV-00097-JRG-RSP

CIV.A. NO. 2:19-CV-00098-JRG-RSP

CIV.A. NO. 2:19-CV-00099-JRG-RSP

CIV.A. NO. 2:19-CV-00100-JRG-RSP

CIV.A. NO. 2:20-CV-00006-JRG-RSP  
(MEMBER CASES)

## ORDER


Before the Court are the Report and Recommendation (Dkt. No. 393) and Order of Clarification (Dkt. No. 408) by Magistrate Judge Payne dated May 3, 2021 and May 10, 2021, respectively. Both Plaintiff Team Worldwide (“Plaintiff”) and Defendants Academy, Ltd. d/b/a Academy Sports + Outdoors, Ace Hardware Corporation, Amazon.com, Inc., Amazon.com

LLC, Bed Bath & Beyond Inc., Costco Wholesale Corporation, Dick's Sporting Goods, Inc., Home Depot Product Authority, LLC, Home Depot U.S.A., Inc., Macy's Retail Holdings, Inc., Macys.com, LLC, Target Corporation, Sears, Roebuck and Co., Sears Holdings Corporation, Transform SR LLC, and Transform KM LLC (collectively, the "Defendants") filed objections to the Report and Recommendation. (Dkt. Nos. 420, 411).

After reviewing the Report and Recommendation, the Order of Clarification, and both parties' objections, the Court concludes that the objections are unpersuasive and agrees with the reasoning provided within the Report and Recommendation and Order of Clarification. The Court therefore **OVERRULES** the parties' objections and **ADOPTS** the Report and Recommendation and Order of Clarification.

As a result, the Unopposed Motion for Oral Argument on Pending Objections to Magistrate Judge Payne's Report and Recommendations (Dkt. Nos. 411–414 and 416) (Dkt. No. 418) and the Unopposed Motion to Expedite Briefing Regarding Objections to Magistrate Judge's Report and Recommendation (Dkt. No. 393) (Dkt. No. 419) are **DENIED**.

**So ORDERED and SIGNED this 18th day of May, 2021.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE